

**COMPREHENSIVE ENFORCEMENT AND
IMMIGRATION REFORM ACT**

Border Enforcement and Visa Security

- Authorizes sufficient resources, including 10,000 Border Patrol Agents (same figure as Intelligence Reform bill, with monthly reports to Congress on progress made in hiring and deploying the agents) and 1,250 new Customs and Border Protection Officers (working at ports of entry). Authorizes \$5 billion over 5 years for accompanying technology (e.g. cameras and sensors) and infrastructure (e.g. stations and checkpoints), to stop illegal border crossing
- Expands and improves Expedited Removal, which provides a streamlined means of removing aliens who are clearly ineligible to enter the U.S. Authorizes \$50 million over 5 years
- Strengthens US-VISIT entry-exit system to better track and identify aliens who enter the country and those who fail to depart
- Increases the bond amount for aliens from noncontiguous countries
- Cancels all visas in the possession of an alien if he or she fails to depart U.S. at end of stay
- Authorizes \$50 million over 5 years in grants for American Indian Tribes on border adversely affected by illegal immigration

Strengthening Interior Enforcement and Leveraging State and Local Law Resources

- Provides the Department of Homeland Security with 10,000 detention beds over 5 years to eliminate the release of illegal aliens into the country
- Clarifies State and local authority to enforce federal immigration laws
- Expands Institutional Removal Program to identify criminal aliens in federal and state correctional facilities and remove them upon completion of their sentences
- Authorizes \$4.45 billion to reimburse states and counties for costs related to the incarceration of criminal illegal aliens and \$200 million each year for the costs of processing criminal illegal immigrants through local criminal justice systems
- Authorizes 1,000 smuggling and status violations investigators over 5 years (200 more per year than Intelligence Reform bill)
- Authorizes 250 additional DOJ immigration judges and 500 DHS trial attorneys over 5 years
- Allows the Department of Homeland Security to expeditiously remove aliens who were previously deported and then reentered illegally
- Increases penalties for alien smuggling, document fraud, drug trafficking and gang violence
- Establishes new Assistant Attorney General in the Department of Justice to oversee immigration enforcement and litigation, to ensure high level DOJ attention and accountability

Worksite Enforcement

- Authorizes 10,000 additional agents over 5 years to investigate employers who hire illegal aliens. Also 1,000 new investigators over 5 years to detect fraud in application process
- Increases the penalties for unauthorized employment of aliens, social security fraud and false claims to citizenship
- Requires within one year issuance of secure machine-readable, tamper-resistant Social Security cards
- Closes loopholes in identity theft by establishing minimum standards for state-issued birth certificates
- Requires within one year that all new hires participate in a Social Security-based electronic employment eligibility verification system
- Assists employers by reducing the number of documents that workers may present to establish identity and employment authorization

Obligations of Participating Countries

- Requires countries to enter into bilateral agreement with U.S. government before the nationals of the country are allowed to participate in a temporary worker visa program or Mandatory Departure status
- Requires aliens to have a minimum level of health coverage, which can be provided by the participating country, the alien or the employer
- Encourages countries to provide housing incentives for returning workers
- Requires participating country to:
 - Cooperate in efforts to control illegal immigration
 - Immediately accept return of nationals who are ordered removed from the U.S.
 - Work with U.S. to reduce gang violence, human trafficking and smuggling
 - Provide access to databases and information on criminal aliens and terrorists

Temporary Worker Program

- Establishes new visa category that allows aliens to enter the U.S. to work temporarily when there are no available U.S. workers
- Limits the period of visa to two years, after which the alien must return home for one year. Alien may participate up to three times (for a total of 6 years of employment in the U.S.)
- Requires completion of background checks, health screening and issuance of biometric documentation to participating aliens
- Establishes a Temporary Worker Task Force to prepare a report on the effect of the temporary worker program on wages and employment of U.S. workers, which would then form basis of cap
- Family members may visit principal worker in the U.S. for no longer than 30 days within a given year

Mandatory Departure and Reentry in Legal Status

- Allows aliens who are present in the U.S. illegally to apply for Mandatory Departure, which enables them time to depart the United States voluntarily and reenter the country through normal legal channels (e.g. as temporary worker)
- Aliens granted Mandatory Departure status are ineligible to obtain permanent resident status (i.e. green card) while in the U.S. – they must depart and reenter through normal legal channels
- Aliens are registered, fingerprinted, and checked against all available criminal/terrorist lists
- Aliens are issued secure, biometric identity documentation. The documents will function as identity documents and employers will use document readers to verify identity and employment authorization
- Provides incentives for aliens to depart the United States immediately, but all aliens are required to depart prior to five years
- Aliens who return to home country within a short period of time may quickly reenter through legal channels as a temporary worker and are not required to spend up to 10 years outside of the country
- Aliens who fail to depart are ineligible for any other immigration benefit for a period of ten years

Circular Migration and Visa Backlog Reduction

- Creates temporary worker investment funds to encourage aliens to return home
- Reduces visa backlog waiting times by allowing the recapture of unused visa numbers and terminating the Diversity Visa Program